

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

2021 JUN 24 PM 12:37

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TOWN OF RANDOLPH,
Plaintiff,

v.

KOVATCH MOBILE
EQUIPMENT CORP., and
NAVISTAR, INC.,
Defendants.

Civil Case No.: 5:18-cv-80

JOINT MOTION TO RESCHEDULE EARLY NEUTRAL EVALUATION DATE

The parties submit the following joint motion pursuant to Local Rule 16.1(f):

1. In this case, expert discovery will be needed on the following subjects: plaintiff's products liability claims, negligence claims, warranty and misrepresentation claims, damages claims and affirmative defenses.
2. Pursuant to the current discovery schedule, plaintiff shall submit expert witness reports on or before November 1, 2021. Depositions of plaintiff's expert witnesses shall be completed by January 2, 2022. Defendants shall submit expert witness reports on or before February 1, 2022.
3. The parties have conferred and agreed on the need to exchange expert disclosures prior to conducting an Early Neutral Evaluation ("ENE").
4. Accordingly, the parties request that the ENE session, with James Spink, Esq., be rescheduled from on or before July 15, 2021 to on or around March 1, 2022 (the

“Proposed Date”).

5. The Proposed Date will fall near the midpoint of the current court approved discovery order, and it should not affect the current trial-readiness date of May 3, 2022.
6. This joint motion serves as notice to the ENE Administrator of the new requested ENE date.

Dated this 22nd day of June 2022.

S/ Philip C. Woodward
Counsel for Plaintiff
Town of Randolph

S/Franziskus Lepionka
Counsel for Defendant
Kovatch Mobile
Equipment Corp.

S/ Ritchie E. Berger
Counsel for Defendant
Navistar, Inc.

APPROVED and SO ORDERED:

Date: 24 June 2021



Geoffrey W. Crawford, Chief Judge
U. S. District Court

cc: ENE Administrator